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RANGOON FOR PATRICK MURPHY

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SUBJECT: LEADING OPPOSITION PARTY SEEKS RECOGNITION, INFLUENCE

REF: MASERU 0164

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¶1. Summary: The Ambassador met with Major General Metsing Lekhanya, the leader of Lesotho's largest opposition party, the Basotho National Party (BNP), on April 06, 2006. Party Treasurer Seabata Thabisi and Youth League Chairman Moeketsi Hanyane accompanied Lekhanya. The DCM and Political Assistant also participated in this meeting. Their discussions focused on the preparations for the 2007 national elections and the controversy surrounding the extension of the contract of the Chairman of the Independent Electoral Commission (IEC), Leshele Thoahlane by the Council of State against the wishes of the opposition parties. The BNP leadership claimed the government was abusing its privileges for political advantage, behind in preparations for the elections, and generally ignoring dialog with the opposition. It called for deeper involvement by the donor/diplomatic community to ensure free and fair elections in ¶2007. The Ambassador urged that all stakeholders work towards a peaceful election process and communicate with their counterparts in other organizations. End summary.

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Preparations for the 2007 national elections  
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¶2. The Ambassador indicated that as Lesotho approaches general elections next year, the role of the BNP is important in the stability of the country and the region. She added that it was essential to understand the positions of all stakeholders, which include civil society, the business community and political parties, to ensure that every sector of society has a voice in the democratic process of the country. She also stressed that it is the interest of the international community to see Lesotho continue on the path toward increasingly stable government and economic development. The results would impact SADC's regional stability as well.

¶3. In response, Lekhanya pointed out that the BNP is looking forward to the 2007 elections but preparations for the elections are late and there are burning issues which have to be ironed out before the elections are held. The BNP leader stated that some of the issues that opposition parties would like to see resolved include party funding for all parties, equal access to state media and provision of transport. He informed the Ambassador that the ruling party uses state resources for their political campaigns and this creates an uneven playing field. Lekhanya emphasized that in order to have peaceful and credible elections in 2007, auditing the elections is the only yardstick that can be effective in satisfying all stakeholders. He also stressed that the BNP's view regarding practical action to support the elections is that international observers should be present before, during and after elections, including the

registration period whereby they can verify the accuracy of the voters roll.

14. In an unexpected move, Lekhanya and his colleagues, disassociated themselves from and denounced the actions of Chairman of the BNP Maseru Regional Constituencies and his colleagues who wrote a letter to the UN Secretary General, reportedly without the approval or knowledge of the BNP leadership. In the letter (copied to the King, foreign missions, the UNDP, the EU Commission in Lesotho, the IEC, SADC Secretariat, the Commonwealth Secretariat and human rights

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organizations), the Chair and his colleagues requested for the UN to take over the running of the 2007 elections to curb election rigging which has been taking place in the past elections. Lekhanya indicated that disciplinary action was going to be taken on those responsible.

15. Lekhanya stated that Lesotho is said to be a peaceful country but this is only on the surface. He indicated that a lot of people are disgruntled by the government's policies and he was quick to emphasize that the BNP is responsible for the tranquility that prevails in the country today. He added that even members of the ruling party are openly criticizing the government for mal-administration.

16. The Ambassador noted that it was a positive development for individuals to express their views in a climate of security. She urged the BNP leader to always find peaceful solutions to any disputes. The Ambassador cited the U.S. 2000 Presidential elections wherein results were accepted and voters moved to another electoral season without violence. She added that political parties should work for what is best for the country and should not to hinder the electoral process. She also pointed out that there are no major conflicts in Southern Africa compared to other parts of Africa and Lesotho could serve as an anchor for the region by continuing to observe the rule of law and by accepting court decisions if there are electoral disputes.

17. General Lekhanya indicated that it is always prudent to opt

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for talks in any dispute but it becomes difficult when they talk to " deaf ears ". He pointed out that the low voter turnout of 30 % in the April 2005 local government elections was the result of the government's intransigent attitude of ignoring the opposition parties' appeal for the postponement of the local government elections in order to improve the public awareness campaign. The party treasurer, Seabata Thabisi, reiterated Lekhanya's concern that the government has ignored their requests for meetings to address issues where they do not see eye-to-eye and to create a platform for further dialogue. The youth league chairman also expressed his concern about the participation of the youth in the 2007 elections. He indicated that the voter apathy in the local government elections was especially pronounced among younger voters and yet the youth are the majority. He could foresee a similar situation in next year's national elections if the incumbent government continues to ignore the concerns of other stakeholders. The DCM indicated that low voter turnout is a source of concern and concerted efforts should be made by all involved to encourage participation, especially by reaching out to the young people.

Hanyane also claimed that the ruling party has politicized the distribution of food aid; some BNP members have approached them and complained that they have to carry the ruling party's membership cards in order to receive food aid or to get a job in the rural areas.

18. The Ambassador urged Lekhanya (former leader of the military regime) and his colleagues to accommodate varying views in a democratic process encouraged them to remain involved in the political process regardless of their dissatisfaction with the prevailing political climate. Lekhanya stated that his party always supports talks as a first option of settling disputes. If talks fail, the second option is through the courts of law and

if the legal option also fail, then they resort to " political action " as the last option and take to the streets to express discontent. The Ambassador informed Lekhanya that the Embassy and the international community based in Lesotho will continue facilitating dialogue on conflict resolution; provide electoral support; and also participate as observers in next year's national elections. She stressed that it is essential to include all segments of society in the political spectrum.

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Extension of the IEC Chairman's contract  
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¶9. Lekhanya indicated that his party was disturbed and saddened by the decision of the government to take the issue involving the extension of the IEC Chairman's contract to the Council of State for approval regardless of protests by of opposition parties, the Lesotho Law Society's legal opinion against the and some private law firms saying it is unconstitutional. Lekhanya concluded by informing the Ambassador that some opposition parties are already threatening to boycott the elections next year because they do not want the government to impose Thoaahlane on them because he and Likate refused to allow the ballot boxes in the aftermath of the 2002 national elections to be opened for a recount. (Note: Prime Minister Mosisili has said extending the IEC Chairman's contract was done for the sake of continuity and nothing else; after holding several unfruitful meetings with the opposition party leaders, he sought legal advice from the acting Attorney General who said it was legal to extend the IEC Chairman's contract. He also pointed out that he came up with a compromise by releasing one of the IEC Commissioners, Mokhelele Likate. Mosisili has stated that preparations to fill for the vacant post are underway and pledged to call the stakeholders for a meeting to nominate new candidates. End Note.)

¶10. Comment: The demand by opposition parties to get funding and transportation from the state during their campaigns is unlikely to be successful. The 17+ parties have not agreed on a common platform or message. The Prime Minister's decision of taking the issue of extending Thoaahlane's contract to the Council of State is regarded by some observers and opposition parties as a shrewd move. They argue that due to the fact that the majority of the members of the Council of State are appointed by the Prime Minister, Mosisili wanted to make sure his mission was accomplished. The appointment of a member of the IEC is done in consultation with opposition parties. The letter written to Koffi Annan without the knowledge of the BNP leadership demonstrates the existence of loose cannons within the party and this could create problems in and outside the party if such unilateral actions continue. It is still too early to say what course of action the opposition will take after extension of the IEC Chair's contract. Parliament closed for Easter break on April 07 and will re-open on April 21, 2006.  
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